Trujillo v. Apple Computer, Inc. et al Doc. 143

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

JOSE TRUJILLO, individually and on behalf of all others similarly situated, Plaintiff,	)	No. 07 CV 04946 Judge Kennelly Mag. Judge Ashman
V	)	
APPLE COMPUTER, INC., a California Corporation, and AT&T MOBILITY LLC, a Georgia Corporation, Defendants.	)	

PLAINTIFF'S MOTION FOR EXTENSION OF TIME TO FILE HIS BRIEF IN SUPPORT OF HIS MOTION FOR CLASS CERTIFICATION

NOW COMES the Plaintiff, JOSE TRUJILLO, on behalf of himself and all others similarly situated, by and through his attorneys, LARRY D. DRURY, LTD., and respectfully moves this Court for an extension of time to file his brief in support of his *Motion for Class Certification,* and in support of this motion, the Plaintiff states as follows:

1. Plaintiff filed his Motion for Class Certification on November 25, 2008. This Court set a briefing schedule on said Motion, requiring Plaintiff to file his brief in support thereof by January 13, 2009, Defendant to file its Response by February 13, 2009 and Plaintiff to file his Reply by February 27, 2009.
2. That Defendant's answers to Plaintiff's discovery, specifically Interrogatories, Requests to Admit and Requests for Production of Documents are not due to be answered until January 26, 2009.
3. Absent these answers Plaintiff is unable to prepare his brief in support of his Motion for Class Certification, determine whether depositions will be required,

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and/or conduct additional discovery as may be necessary to support said Motion.

4. Plaintiff requests that this Court extend the deadline for Plaintiff to file his brief until 60 days after Defendant's answers are due (until March 28, 2009) to accommodate any additional discovery that may be required by Plaintiff, i..e, supplemental requests and/or depositions, and to provide Plaintiff time to review same and prepare his brief. Plaintiff would further ask that this Court extend the deadlines for Defendant's Response (April 28, 2009), and Plaintiff's Reply (May 13, 2009), accordingly.

WHEREFORE, Plaintiff, JOSE TRUJILLO, individually and on behalf of all others similarly situated, hereby respectfully requests that this Court enter an order extending the briefing schedule on *Plaintiff's Motion for Class Certification* and for such further relief as this Court deems appropriate.

Respectfully submitted,

JOSE TRUJILLO, on behalf of himself and all others similarly situated,

By: /s/ James R. Rowe

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